AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

In the claims

1. (Currently Amended): A surgical thermally-mediated therapy for treating tissue comprising causing a controlled vapor-to-liquid phase state change of a selected media in a tissue site by causing a sufficient amount of energy to conduct through the selected media when contained within an instrument such that the selected media increases in volume causing pressurized ejection of the selected media from the instrument into the tissue site thereby applying thermal energy substantially equal to the heat of vaporization of the media to said tissue site causing the vapor media to propagate extracellularly in tissue when in a vapor state and allowing the media to undergo a vapor-to-liquid phase state change and release thermal energy to the tissue and further introducing the vapor media into the interior of a patient's body through an expandable member by engaging a body structure with the expandable member.

2. (Original): A surgical thermally-mediated therapy as in claim 1 wherein the heat of vaporization is in excess of about 500 calories per gram of the selected media.

3. (Cancelled)

4. (Previously Presented): A surgical thermally-mediated therapy as in claim 1 wherein the vapor-to-liquid phase state change is created within a patient's body after pressurized ejection of the selected media from at least one port of the instrument.

5. (Previously Presented): A surgical thermally-mediated therapy as in claim 1 wherein the vapor-to-liquid phase state change is created at a selected depth in tissue after pressurized ejection of the media from the instrument.

6. (Original): A surgical thermally-mediated therapy as in claim 3 wherein the vapor-to-liquid phase state change is created about a flexible working surface deployed in the interior of a body cavity or lumen.

7. (Previously Presented): A surgical thermally-mediated therapy as in claim 1 further comprising the step of controlling a parameter of the causing step selected from the class of parameters consisting of controlling the temperature of the vapor-to-liquid phase state change in the selected media, controlling the pressure of the media ejected from a working surface of the instrument, controlling the volume of the media being ejected from the working surface, and controlling the rate of delivery of the media volume being ejected from the working surface.

8. – 17. (Cancelled)

18. (Withdrawn): A surgical thermally-mediated therapy for treating tissue comprising converting a conductive liquid media to a transient conductive vapor media having a heat of vaporization of about 100° C, injecting the transient vapor media into a body structure of a patient and applying electrical energy to the conductive vapor media before its condensation back into a liquid media thereby applying energy to the body structure.

19. (Withdrawn): A surgical therapy as in claim 18 wherein the body structure comprises a body lumen or cavity.

20. (Withdrawn): A surgical therapy as in claim 18 wherein the body structure comprises soft tissue.

21. (Cancelled)

22. (Currently Amended): The method of claim 1 [[21]] wherein the vapor media collapses in volume upon the vapor-to-liquid phase state change.

25. – 26. (Cancelled)

27. (Currently Amended): The method of claim 1 [[21]] wherein the vapor media has a temperature of at least 100° C.

28. (Currently Amended): The method of claim 1 [[21]] including controlling at least one of the pressure of the vapor media, the volume of the vapor media, and the duration of a flow of the vapor media.

29. (Withdrawn): The method of claim 21 including applying electrical energy to the vapor media.

30. (Previously Presented): A method for thermally treating tissue comprising passing a sufficient amount of energy through a fluid media when contained within a device such that the fluid media increases in volume causing a vapor media to propagate extracellularly in tissue and allowing the vapor media to undergo a vapor-to liquid phase state change and release thermal energy in the tissue.

31. (Previously Presented): A surgical thermally-mediated therapy for treating tissue comprising causing a controlled vapor-to-liquid phase state change of a selected media in a targeted tissue by applying a sufficient amount of energy through the selected media when contained within an instrument such that the selected media increases in volume causing pressurized ejection of the selected media from the instrument at a sufficiently high velocity to penetrate the targeted tissue and propagate within extracellular spaces of the targeted tissue to create a lesion in the targeted tissue.